(2) *Reimbursement of individual health-care professionals and other non-institutional health care providers.* Reimbursement of individual health care professional and other non-institutional health care providers shall be based upon the specific terms of the individual partnership agreements. If the agreement does not sepecifically address payment, reimbursement shall be based upon the provisions of § 199.14(e).

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Linda M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense

January 14, 1988

[FR Doc 88-1117-Filed 1-22-88; 8 45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Notice of Withdrawal of the Proposed Rule To List Eriogonum humivagans (Spreading Wild-Buckwheat) as an Endangered Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Withdrawal of proposed rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service) withdraws the proposed rule (51 FR 11880; April 7, 1986) to list *Eriogonum humivagans* as an endangered species. Additional botanical collections made in the vicinity of the species' habitat have provided new information on the taxonomic validity and distribution of *Eriogonum humivagans.* An analysis of the specimens demonstrates that the *Eriogonum* population named as *Eriogonum humivagans* lies within the range of morphological variation of *Eriogonum lonchophyllum.* The Service has thus determined that *Eriogonum humivagans* does not meet the definition of species under Section 3(16) of the Endangered Species Act (Act) of 1973, as amended, and therefore does not qualify for protection under the Act.

ADDRESSES: The file for this notice is available for inspection, by appointment, during normal business hours at the U.S. Fish and Wildlife Service, Salt Lake City Field Office, Fish and Wildlife Enhancement, 2078 Administration Building, 1745 West 1700 South, Salt Lake City, Utah 84104 or at the Service's Grand Junction Field Office, Fish and Wildlife Enhancement, Independence Plaza, Suite B113, 529 25½ Road, Grand Junction, Colorado 81505.

FOR FURTHER INFORMATION CONTACT: John L. Anderson, Botanist, at the Grand Junction address above (303/241-0563 or FTS 322-0348), or John L. England at the Salt Lake City address (801/524-4430 or FTS 588-4430).

SUPPLEMENTARY INFORMATION:

Background

The proposed rule to list *Eriogonum humivagans* as endangered was published on April 7, 1986 (51 FR 11880). On September 8, 1987, the Service published a 6-month Extension of the Proposed Rule for *Eriogonum humivagans* (52 FR 33849). With this 6-month extension, the new deadline for a final determination of status was October 7, 1987. A new comment period commenced with the publication of this notice and closed on October 8, 1987.

The proposal to list *Eriogonum humivagans* as an endangered species was based on its rarity and the loss of much of its habitat from cultivation of the surrounding area for dry land farming. Previous surveys for *Eriogonum humivagans* were concentrated in Utah and showed it to have a narrow distribution in the vicinity of the type locality east of Monticello in San Juan County, Utah (Anderson 1982). Potential habitat of heavy clay soils of the Mancos Shale formation is limited in that part of Utah; but the type locality is only 5 miles from the Colorado State line, and large outcrops of potential habitat extend eastward in Colorado.

In the type description, Reveal (1968) related *Eriogonum humivagans* to *E. scoparium* Small of western Colorado and *E. nudicaule* (Torrey) Small of northern New Mexico. These two species have subsequently been combined with *E. lonchophyllum* Torrey & Gray, a highly variable suffrutescent species of western Colorado and northern New Mexico, whose type locality is on the Rio Blanco River south of Pagosa Springs, Colorado (Reveal 1976, Torrey and Gray 1870). At about the same time as publication of *E humivagans,* Reveal (1967) stated that little fall botanizing had been done in the area from Monticello southeast to Cortez, Colorado. *E. humivagans* was then apparently thought to be disjunct by at least 50 miles from the nearest known occurrences of *E. lonchophyllum* in Colorado. In the fall of 1986, after the proposal had been published, a Service botanist made extensive *Eriogonum* collections between the type locality and Cortez (Mesa Verde) and Naturita, Colorado, approximately 50 miles to the southeast and northeast, respectively. These collections narrowed the geographic gap between *E. humivagans* and *E. lonchophyllum* and raised questions about the relationship of these two species and regarding taxonomic distinction, overall distribution, and ecology.

One hundred specimens of suffrutescent to shrubby individuals of *Eriogonum* attributed to *E. corymbosum* Bentham, *E. humivagans* Reveal, *E. leptophyllum* (Torrey) Wooten & Standley, and *E. lonchophyllum* Torrey & Gray from southeastern Utah and southwestern Colorado were analyzed. They consisted of the new specimens collected in 1986 and additional specimens examined at the herbaria of Brigham Young University, Utah State University, Colorado State University, and the University of Colorado, including the holotype of *E. humivagans* at Utah State University and an isotype at Brigham Young University. These herbaria contained no collections nearer to the type locality of *E. humivagans* than the Naturita/Nucla and Cortez/Mesa Verde areas. Eighteen morphological characters were scored, based on those used to distinguish *E. humivagans* (Reveal 1968) or in various keys to *Eriogonum* (Reveal 1967, 1973, and 1976).

The specimens were then analyzed by principal components analysis using the SYSTAT FACTOR program (Wilkinson 1986). While the three other *Eriogonum* species, which are recognized as distinct species in area floras (Goodrich and Neese 1986, Weber 1987, Welsh *et al* 1987), were separated from each other, the results showed that *E. humivagans* was not separated, but was included within *E. lonchophyllum.*

Most edaphic endemics in the Colorado Plateau are believed to have evolved through the isolation from their nearest relatives provided by different geological strata. Although the *Eriogonum* specimens collected in 1986 were found on various geological formations, they were always on shale-derived soils, and those nearest to the type locality of *E. humivagans* were growing on Mancos Shale. The population named as *E. humivagans* is thus interpreted as the westernmost population of *Eriogonum lonchophyllum* in the Four Corners area and not a separate species.

Based on a review of these new data, the Service concludes that *Eriogonum humivagans* does not appear to be distinct from *E. lonchophyllum* morphologically, geographically, or ecologically, and does not represent a taxon at any rank. Therefore, the Service has determined that *E*

humivagans does not meet the definition of species in Section 3(16) of the Act and that the withdrawal of the proposed rule to list *E. humivagans* as endangered is consistent with the Act.

A Service botanist is preparing a publication to document these conclusions in the scientific literature. Even though this population is not a separate species, it is of scientific interest in the study of plant geography as the southwesternmost population of *Eriogonum lonchophyllum*, and its management could be considered important from standpoints other than the Act

References Cited

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Author

The primary author of this notice is John Anderson, Botanist, U S Fish and Wildlife Service, Fish and Wildlife Enhancement, Grand Junction, Colorado John England, Botanist, U S. Fish and Wildlife Service, Fish and Wildlife Enhancement, Salt Lake City, Utah, served as editor (see addresses section above).

Accordingly, the proposed rule to list *Eriogonum humivagans* as endangered, published April 7, 1986 (51 FR 11880), is hereby withdrawn

Dated January 12, 1988

Susan Recce,

Acting Assistant Secretary for Fish and Wildlife and Parks

[FR Doc 88–1403 Filed 1–22–88, 8 45 am]

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